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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/679,041	10/03/2003	Robert A. Kennedy	SPL-44	1663

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SQUARE D COMPANY
INTELLECTUAL PROPERTY DEPARTMENT
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PALATINE, IL 60067

EXAMINER

CHANG, YEAN HSI

ART UNIT PAPER NUMBER

2835

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/679,041	Applicant(s) KENNEDY ET AL.	
	Examiner Yean-Hsi Chang	Art Unit 2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/5/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 13-15 are objected to because of the following informalities: The “accessing” cited in claim 12 is an action for providing a local communications connection not a means for communications. It may not be Ethernet, infrared, or low-power wireless. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-9, 11-13 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Bilas et al. (US 5,233,511).

Bilas teaches an electrical equipment enclosure (fig. 1b) comprising: an electrical enclosure (10), networked power monitoring equipment (32) mounted in said electrical enclosure, and a communications port (38) mounted to said enclosure and accessible externally from said enclosure (shown in fig. 3) and operatively coupled with said networked power monitoring equipment (shown in fig. 2) requiring a local

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communications connection (40 and 41, fig. 2) for connecting said networked power monitoring equipment with equipment outside of said enclosure (see also col. 3, line 49 through col. 4, line 68) (claim 1); wherein said enclosure is a power distribution enclosure (see fig. 1a) (claim 2); wherein said enclosure is a motor control center (each circuit breaker comprising a motor being controlled) (claim 3); wherein said enclosure is a circuit breaker panel enclosure (20's being circuit breakers) (claim 4); wherein said enclosure is an electrical switchgear cabinet (20's being electrical switches with related mechanisms) (claim 5); wherein said enclosure is an electrical unit substation (see fig. 7) (claim 6); wherein said enclosure is an electrical distribution switchboard (see fig. 1b) (claim 7); an Ethernet hub (38) providing a plurality of Ethernet connection ports (40 and 41) mounted inside of said enclosure and operatively connected with said local communications port (on board 31) mounted to said enclosure and with said power monitoring equipment (fig. 5a) (claim 8); wherein said enclosure has an accessible front surface (shown in fig. 3), and wherein said network port is mounted to and accessible at said front surface (shown in fig. 3) (claim 9); wherein said communications port is a low-power wireless port (see col. 4, lines 4-7) (claim 11); and a method of providing a local communications connection being disclosed in the specification (claims 12-13 and 15).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 10 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bilas et al. in view of Dearborn et al. (US 2002/0190868 A1).

Bilas discloses the claimed invention comprising a port 41 for wireless communications but fails to indicate 41 being an IR port. However, a wireless port may be an IR port as taught by Dearborn ([0032], page 3). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Bilas by indicating the wireless port being an IR port for being able to communicate with infrared signals.

Correspondence

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (571) 272-2038. The examiner can normally be reached on 07:30 - 16:00, Monday through Friday.


If attempts to reach the examiner by telephone are unsuccessful, the Art Unit phone number is (571) 272-2800, ext. 35. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained

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from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8558.

Yean-Hsi Chang
Primary Examiner
Art Unit: 2835
June 17, 2005



YEAN-HSI CHANG
PRIMARY EXAMINER